

INSTRUCTION NO.
LI 70-15

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RECORDS
7 October 1975

SUBJECT : Implementation of the Privacy Act

REFERENCES: (a) [REDACTED]
(b) Privacy Act of 1974 -- PL 93-579
(c) Federal Register dtd 28 Aug 75

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1. GENERAL

This instruction sets forth the requirements and responsibilities for implementing the Privacy Act of 1974. Procedures contained in this instruction became effective on 28 September 1975.

Office of Logistics (OL) has five records systems falling under the provisions of the Privacy Act:

- (a) Parking Permit Files - CIA 16
- (b) Vehicle Operators Files - CIA 17
- (c) Personal Property Claims Records - CIA 18
- (d) Equipment and Supplies Accountability Records - CIA 19
- (e) Logistics Security Clearance Records - CIA 20

(Instructions concerning access to and maintenance of personnel soft files will be provided by the DD/A).

The Privacy Act requires notice be provided to the public, via the Federal Register, of any records systems maintained by Government agencies that contain information on citizens of the United States and aliens admitted for permanent residence that is retrievable by individual name or identifying number. Information published in the Federal Register provides an individual with sufficient information about the records systems to enable him to determine if the system contains any information about him. Procedures by which the individual may request information, amendments or corrections thereto, have been established by the Agency. The act also provides for the individual to be advised of, and give written consent for, disclosures of information made from these records systems that are not in accordance with the routine uses as set forth in the Federal Register.

2. RESPONSIBILITIES

It is the responsibility of the chief of each staff or division maintaining the records system identified in paragraph 1 to ensure that disclosures of

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information from the records are made in compliance with the provisions of the Privacy Act and that safeguards to protect data from unauthorized alterations are established. All employees charged with the maintenance and operation of these systems must be made fully aware of their responsibilities as set forth in [REDACTED] dtd 26 Sep 75, and should be familiar with the description and uses of the particular system as published in the Federal Register. Access to these files must be limited to the employees of the office in which they are maintained.

a. Conditions of Disclosure

Disclosures of information from these records may be made to Agency personnel who have a demonstrated "need to know." Unless the disclosure of information falls within one of the following categories, written consent of the individual is required prior to the disclosure:

- (1) Disclosure to employees, of the Agency which maintains the record, who have a need for the record in the performance of their official duties;
- (2) Disclosure which is required under the Freedom of Information Act (FOIA);
- (3) Disclosure made for a routine use as defined in the notice of records systems published in the Federal Register;
- (4) Disclosure made to the Bureau of the Census;
- (5) Disclosure to a person or another agency for statistical research or reporting purposes;
- (6) Disclosure to a law enforcement activity provided the head of the agency or instrumentality has made written request to CIA;
- (7) Disclosure upon showing of "compelling circumstances" affecting the health or safety of an individual;
- (8) Disclosure to the Congress or the Comptroller General; or
- (9) Disclosure pursuant to a court order.

b. Accounting for Disclosures

A record must be maintained that accounts for all disclosures made outside the Agency. The following information must be included in the accounting and maintained in the individual's file:

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- (1) Date, purpose, and listing of the record(s) disclosed (single document, folder, etc.).
- (2) Name and address of the person or agency to whom the disclosure is made.

c. Safeguards


- (1) Only those personnel who maintain the records shall have access to the files.
- (2) Disclosures of information will be made only after a determination is made that the requestor has a "need to know."

3. PROCEDURES FOR PROCESSING PRIVACY ACT REQUESTS

Requests from outside the Agency for information from any of the OL records systems will be initially received in the Information and Privacy Staff (IPS), DD/A. These requests will be sent to the Executive Officer (EO), OL, and then forwarded to the staff or division responsible for search and reply. Replies to search requests, including any documents, will be returned to the EO/OL who will make the determination whether the information may be released to the requestor.

4. REPORTS

A weekly report must be submitted to the DD/A on man-hours expended in processing requests, plus any additional costs incurred to comply with the act. This report will be submitted by the EO/OL.


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Excerpt from the Federal Register